

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)

The Use of Cellular Telephones on Airborne)
Aircraft)

Docket Number WT 04-435

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Federal Communications Commission
Office of Secretary

COMMENTS OF TRANSPORT WORKERS UNION OF AMERICA

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TABLE OF CONTENTS

	<u>Page</u>
I. SUMMARY.....	3
II. INTRODUCTION.....	3
III. DISCUSSION.....	5
A. SAFETY FACTOR.....	5
B. COMFORT FACTOR.....	6
IV. CONCLUSION.....	7

I. SUMMARY

Transport Workers Union of America, AFL-CIO (TWU) hereby respectfully submits these comments to the Federal Communications Commission (FCC or the Commission) on the Notice of Proposed Rulemaking (NPRM) that would modify the rule prohibiting the use of cellular telephones on airborne aircraft. TWU, representing the flight attendants of Southwest Airlines, is strongly against any action at this time by the FCC that would allow cell phone usage onboard while airborne. The safeguard that is presently in place that prohibits the use of cell phones onboard airborne aircraft is necessary to maintain a stable environment of security, and passenger comfort. Taking away this safeguard would compromise passenger security and comfort and possibly lead to a disastrous situation.

II. INTRODUCTION

The NPRM and FCC Press Release of December 15, 2004 states that the goal of the FCC's proposal to relax restrictions on

wireless users while airborne is to allow consumers to use their own wireless devices during flight while ensuring no increased risk of harmful interference to terrestrial cellular systems. While it is good that the FCC seeks to allow wireless users the ability to connect while airborne without interfering with terrestrial cellular systems, the factors involved in passenger safety and comfort outweigh the ability to use cell phones safely while airborne.

Finally, there is no conclusive evidence that cell phone use does not interfere with navigational instruments. There are studies that show transmitting portable electronic devices (T-PEDs) do in fact cause interference with essential navigational equipment such as ILS landing systems, VOR systems and compass. [See Civil Aviation Authority: Effects of Interference from Cellular Telephones on Aircraft Avionics Equipment. Go to: http://www.caa.co.uk/docs/33/CAPAP2003_03.PDF] The changing of any regulatory status regarding cell phone usage onboard airborne aircraft at this time without further study and conclusion on the subject matter would be premature at the least and could ultimately prove catastrophic.

III. DISCUSSION

A. Safety Factor

The Commission suggests that airborne connectivity should not increase the risk of harmful interference to terrestrial cellular systems. TWU would add that the increase risk of harmful interference to any passenger or crewmember on board an aircraft should not come at the expense of airborne connectivity.

It has not been proven at this time whether or not cellular usage interferes with the navigational systems that are present on commercial aircraft. Thus, further study is needed and warranted before any final decision is made that would allow airborne cellular use.

The NPRM claims that security would be enhanced by cell phone use among passengers because it would allow better communication with people on the ground. Though this is true it is also true that a terrorist on board would be able to communicate with another terrorist on or off the aircraft by the same means, which could lead to an unsafe or disastrous position.

The ability for flight attendants to maintain a secure cabin during the critical phases of flight would be challenged and more than likely compromised. The list of flight attendant safety duties would inevitably increase. Though that in itself does not pose a massive problem, what may prove problematic will be policing the different types of cell phones on board by deciding whether or not they are included in those that are available for airborne usage.

Maintaining a safe cabin is imperative and foremost. Thus, allowing possible terrorists or unruly passengers to compromise this effort while allowing some the ability to communicate while airborne is a grave error and it short sided of the safety of many for the ability of some.

B. Comfort Factor

Second to safety in the airways is comfort. The mixture of thin air, cramped quarters and alcohol consumption in an “enclosed tube” is already the recipe for frayed nerves and tempers. Adding the ability to talk nonstop on a cellular phone while onboard next to another passenger that is experiencing

fear or other human experiences that are out of the control of the crewmembers only adds to the frustrations that passengers feel.

Years ago smoking was allowed on board aircraft. Today, for various reasons including the comfort and safety of other passengers, it is not allowed while on board an aircraft. The tension, discomfort, and intrusion that a passenger feels are important in the overall scheme of passenger comfort and safety. And, ultimately there are appropriate places to use cell phones however; a commercial airplane during flight is not one of those places. Safety announcements are required and should be given full attention. This is a safety, comfort and legal concern.

IV. CONCLUSION

TWU supports the FCC in its statement in the Consumer Advisory regarding “Using Your Cell Phone on Airplanes” that any use of personal electronic devices, including all phones and other portable electronic devices (PEDs) like pagers, blackberries, portable music players, video games and computers will remain subject to the FAA’s authority over safety of flight. In allowing

the *FAA* to continue to control airborne connectivity in the air, it should be imperative that safety of flight be prominent when a choice is made between safety and consumer interest.

Therefore, let it be known that the position of TWU is that T-PED usage during flight should not be allowed at this time due to the uncertainty of overall safety and comfort of passengers and crew.

Respectfully submitted,

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